

ORIGINAL

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## ILLINOIS STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY

(NOTICE: THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, ALL WHICH MAY INCLUDE POWERS TO PLEDGE, SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU. THIS FORM DOES NOT IMPOSE A DUTY ON YOUR AGENT TO EXERCISE GRANTED POWERS; BUT WHEN POWERS ARE EXERCISED, YOUR AGENT WILL HAVE TO USE DUE CARE TO ACT FOR YOUR BENEFIT AND IN ACCORDANCE WITH THIS FORM AND KEEP A RECORD OF RECEIPTS, DISBURSEMENTS AND SIGNIFICANT ACTIONS TAKEN AS AGENT, A COURT CAN TAKE AWAY THE POWERS OF YOUR AGENT IF IT FINDS THE AGENT IS NOT ACTING PROPERLY. YOU MAY NAME SUCCESSOR AGENTS UNDER THIS FORM BUT NO CO-AGENTS. UNLESS YOU EXPRESSLY LIMIT THE DURATION OF THIS POWER IN THE MANNER PROVIDED BELOW, UNTIL YOU REVOKE THIS POWER OR A COURT ACTING ON YOUR BEHALF TERMINATES IT, YOUR AGENT MAY EXERCISE THE POWERS GIVEN HERE THROUGHOUT YOUR LIFETIME, EVEN AFTER YOU BECOME DISABLED. THE POWERS YOU GIVE YOUR AGENT ARE EXPLAINED MORE FULLY IN SECTION 3-4 OF THE ILLINOIS "STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY LAW" OF WHICH THIS FORM IS A PART. THAT LAW EXPRESSLY PERMITS THE USE OF ANY DIFFERENT FORM OF POWER OF ATTORNEY YOU MAY DESIRE. IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU).

**POWER OF ATTORNEY** made this 3 day of May, 2010.

1. I, **MARY K. COLE** of Arlington Heights, IL 60004 hereby appoint my son, **DAVID K. COLE**, of Mount Prospect, Illinois, my attorney-in-fact (my "agent") to act for me and in my name (in any way I could act in person) with respect to the following powers, as defined in Section 3-4 of the "Statutory Short Form Power of Attorney for Property Law" (including all amendments), but subject to any limitations on or additions to the specified powers inserted in paragraph 2 or 3 below:

(YOU MUST STRIKE OUT ANY ONE OR MORE OF THE FOLLOWING CATEGORIES OF POWERS YOU DO NOT WANT YOUR AGENT TO HAVE. FAILURE TO STRIKE THE TITLE OF ANY CATEGORY WILL CAUSE THE POWERS DESCRIBED IN THAT CATEGORY TO BE GRANTED TO THE AGENT. TO STRIKE OUT A CATEGORY YOU MUST DRAW A LINE THROUGH THE TITLE OF THAT CATEGORY.)

- |  |   |
|--|---|
| (a) Real estate transactions.                                  | (l) Tax matters.                                |
| (b) Financial institution transactions.                        | (j) Claims and litigation.                      |
| (c) Stock and bond transactions.                               | (k) Commodity and option transactions.          |
| (d) Tangible personal property transactions.                   | (l) Business operations.                        |
| (e) Safe deposit box transactions.                             | (m) Borrowing transactions.                     |
| (f) Insurance and annuity transactions.                        | (n) Estate transactions.                        |
| (g) Retirement plan transactions.                              | (o) All other property powers and transactions. |
| (h) Social Security, employment and military service benefits. |   |

(LIMITATIONS ON AND ADDITIONS TO THE AGENT'S POWERS MAY BE INCLUDED IN THIS POWER OF ATTORNEY IF THEY ARE SPECIFICALLY DESCRIBED BELOW.)

2. The powers granted above shall not include the following powers or shall be modified or limited in the following particulars (here you may include any specific limitations you deem appropriate, such as a prohibition or conditions on the sale of particular stock or real estate or



1218449026

Doc#: 1218449026 Fee: \$80.00

Eugene "Gene" Moore RHSP Fee: \$10.00

Cook County Recorder of Deeds

Date: 07/02/2012 02:52 PM Pg: 1 of 7

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special rules on borrowing by the agent):

## NO LIMITATIONS.

3. In addition to the powers granted above, I grant my agent the following powers (here you may add any other delegable powers including, without limitation, power to make gifts, exercise powers of appointment, name or change beneficiaries or joint tenants or revoke or amend any trust specifically referred to below):
  - A. My agent shall have the right to access any account or asset held in the name of the "MARY K. COLE 1996 TRUST AGREEMENT dated June 20, 1996" {as restated and/or amended from time to time}, of which I am a current co-trustee and beneficiary and also any account or asset held in the name of the "WILLIAM K. COLE 1996 TRUST AGREEMENT dated June 20, 1996, {as restated and/or amended from time to time} of which I am a current Co-trustee, and my agent shall be allowed to exercise all rights granted under this Power of Attorney for Property with regards to said trust assets as if said trust assets were in my name alone. Said powers shall include: the power to act on my behalf and in my name to exercise any rights and powers vested as executor, administrator, guardian, custodian, trustee or in another fiduciary capacity, if and to the extent my fiduciary rights and powers can be validly delegated by me, including specifically the power to exercise all rights and powers I possess as a Trustee of said trusts including any amendments.
  - B. Further my agent is specifically authorized to collect and receive all amounts payable to me and to exercise any right of withdrawal or revocation I may possess under the terms of said trusts if and to the extent my agent decides that such action is appropriate to implement the purposes of this power of attorney. My agent shall have the power to act for me and in my name to transfer any property to the trustee of my trust, all such property to be added to and administered in all respects as a part of the trust. My agent shall not have the right to make any amendments to or be able to revoke said Trust.
  - C. My agent shall be allowed to make gifts on my behalf to any one or more of my spouse, my descendants and their spouses, and charity to the extent that in my agent's judgment, I would have made such gifts if I were able. Gifts to a donee under the preceding sentence and any other gifts to such donee from or on behalf of my spouse or me of which my agent has actual knowledge (other than gifts to charity or gifts that qualify for the gift tax exclusion under Section 2503(e) of the Internal Revenue Code of 1986, as amended from time to time (the "Code"), or corresponding provision of any subsequent tax law) shall not exceed in any calendar year the amount of the federal gift tax annual exclusion available to my spouse and me, taking into account any election under Section 529(c)(B) of the Code. To the extent necessary to make such gifts, my agent may request the Trustee of any revocable trust of which I am the grantor to pay income or principal of such trust to my agent or directly to the donee of such gift. Gifts permitted under this subparagraph to an individual may be made to any trust established for such individual (provided that gifts to such trust qualify for the gift tax exclusion under Section 2503(b) of the Code), to a Uniform Transfers to Minors Act account for such individual (regardless of who is the custodian), to a tuition savings account or prepaid tuition plan as defined under Section 529 of the Code ("529 Account") for the benefit of such individual (without regard to who is the account owner or responsible person for such account), or to a Coverdell Education Savings Account for the benefit of such individual. For purposes of this subparagraph, "charity" includes only organizations transfers to

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which are deductible for federal income and gift tax purposes, and the "spouse" of any person means the individual legally married to, and not legally separated from, such person on the date of the gift then in question or on the date of the prior death of such person;

- D. If I am the account owner or responsible person (the 'account owner') for a 529 Account, or if my agent is the account owner of a 529 Account to which I or my agent on my behalf had made gifts, my agent shall be allowed to exercise all rights granted to an account owner of a 529 Account, including but not limited to any right to refund the account to me, to approve or disapprove a distribution to the beneficiary, to change the beneficiary provided the new beneficiary of the account or plan is one of my descendants, the spouse of one of my descendants or a sibling or cousin of the old beneficiary and to change the account owner provided the new account owner is my spouse, one of my descendants, the spouse of one of my descendants, the beneficiary, a sibling, parent or guardian of the beneficiary, or the trustee of a trust of which the beneficiary is a beneficiary, to change investment options and to roll over the account to another account under the same program or a program in another state;
- E. My agent shall be allowed to compensate separately any brokers, attorneys, auditors, depositories, real estate managers, investment advisors and other persons (including my agent and any firm with which my agent is associated without reducing compensation in any capacity);
- F. My agent shall be allowed to transfer any part or all of my assets to the Trustee of any revocable trust of which I am the grantor, to be dealt with pursuant to its terms from time to time in effect.

(YOUR AGENT WILL HAVE AUTHORITY TO EMPLOY OTHER PERSONS AS NECESSARY TO ENABLE THE AGENT TO PROPERLY EXERCISE THE POWERS GRANTED IN THIS FORM, BUT YOUR AGENT WILL HAVE TO MAKE ALL DISCRETIONARY DECISIONS. IF YOU WANT TO GIVE YOUR AGENT THE RIGHT TO DELEGATE DISCRETIONARY DECISION-MAKING POWERS TO OTHERS, YOU SHOULD KEEP THE NEXT SENTENCE; OTHERWISE IT SHOULD BE STRUCK OUT.)

4. My agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making to any person or persons whom my agent may select, but such delegation may be amended or revoked by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

(YOUR AGENT WILL BE ENTITLED TO REIMBURSEMENT FOR ALL REASONABLE EXPENSES INCURRED IN ACTING UNDER THIS POWER OF ATTORNEY. STRIKE OUT THE NEXT SENTENCE IF YOU DO NOT WANT YOUR AGENT TO ALSO BE ENTITLED TO REASONABLE COMPENSATION FOR SERVICES AS AGENT.)

5. My agent shall be entitled to reasonable compensation for services rendered as agent under this power of attorney.

(THIS POWER OF ATTORNEY MAY BE AMENDED OR REVOKED BY YOU AT ANY TIME AND IN ANY MANNER. ABSENT AMENDMENT OR REVOCATION, THE AUTHORITY GRANTED IN THIS POWER OF ATTORNEY WILL BECOME EFFECTIVE AT THE TIME THIS POWER IS SIGNED AND WILL CONTINUE UNTIL YOUR DEATH UNLESS A LIMITATIONS ON THE BEGINNING DATE OR DURATION IS MADE BY INITIALING AND COMPLETING EITHER (OR BOTH) OF THE FOLLOWING:)

*m k c*

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6. (X) This power of attorney shall become effective on the date my signature is affixed hereto.

7. (X) This power of attorney shall terminate on the date of my death.

8. If any agent named by me shall die, become incompetent, resign or refuse to accept the office of agent, I name the following (each to act alone and successively, in the order named) as successor(s) to such agent: My daughter: RITA A HEINZ of Palatine, IL. MKC

For purposes of this paragraph 8, a person shall be considered to be incompetent if and while the person is a minor or an adjudicated incompetent or disabled person or the person is unable to give prompt and intelligent consideration to business matters, as certified by a licensed physician.

(IF YOU WISH TO NAME YOUR AGENT AS GUARDIAN OF YOUR ESTATE, IN THE EVENT A COURT DECIDES THAT ONE SHOULD BE APPOINTED, YOU MAY, BUT ARE NOT REQUIRED TO, DO SO BY RETAINING THE FOLLOWING PARAGRAPH. THE COURT WILL APPOINT YOUR AGENT IF THE COURT FINDS THAT SUCH APPOINTMENT WILL SERVE YOUR BEST INTERESTS AND WELFARE. STRIKE OUT PARAGRAPH 9 IF YOU DO NOT WANT YOUR AGENT TO ACT AS GUARDIAN.)

9. If a guardian of my estate (my property) is to be appointed, I nominate the agent acting under this power of attorney as such guardian, to serve without bond or security.

10. I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent.

Signed Mary K. Coe  
(Principal)

(YOU MAY, BUT ARE NOT REQUIRED TO, REQUEST YOUR AGENT AND SUCCESSOR AGENTS TO PROVIDE SPECIMEN SIGNATURES BELOW. IF YOU INCLUDE SPECIMEN SIGNATURES IN THIS POWER OF ATTORNEY, YOU MUST COMPLETE THE CERTIFICATION OPPOSITE THE SIGNATURES OF THE AGENTS.)

[Signature]  
(agent)

I certify that the signatures of my agent (and successors) are correct.

Mary K. Coe  
(principal)

THIS POWER OF ATTORNEY WILL NOT BE EFFECTIVE UNLESS IT IS NOTARIZED AND SIGNED BY AT LEAST ONE ADDITIONAL WITNESS, USING THE FORM BELOW.)

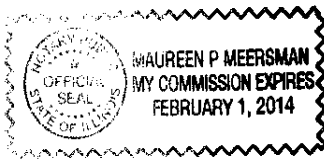
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State of Illinois)  
County of Cook)

The undersigned, a notary public in and for the above county and state, certifies that **MARY K. COLE**, known to me to be the same person whose name is subscribed as principal to the foregoing power of attorney, appeared before me and the additional witness in person and acknowledged signing and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth, and certified to the correctness of the signature(s) of the agent(s).

Dated: May 3, 2011

Maureen P. Meersman  
Notary Public



My commission expires: Feb 01, 2014

The undersigned witness certifies that **MARY K. COLE**, known to me to be the same person whose name is subscribed as principal to the foregoing power of attorney, appeared before me and the notary public and acknowledged signing and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth. I believed him or her to be of sound mind and memory.

Dated: 5-3-11

Margaret Caplan  
Witness

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THE NAME AND ADDRESS OF THE PERSON PREPARING THIS FORM SHOULD BE INSERTED IF THE AGENT WILL HAVE POWER TO CONVEY ANY INTEREST IN REAL ESTATE.)

This document was prepared by:

Name: LAW OFFICE OF MAUREEN P. MEERSMAN  
Street address: 716 East Northwest Hwy.  
City, State, Zip: Mount Prospect, IL 60056  
847-259-3292

OR RECORDER'S OFFICE BOX NO.

LEGAL DESCRIPTION:

STREET ADDRESS:

PERMANENT TAX INDEX NUMBER:

THE SPACE ABOVE IS NOT PART OF OFFICIAL STATUTORY FORM. IT IS ONLY FOR THE AGENT'S USE IN RECORDING THIS FORM WHEN NECESSARY FOR REAL ESTATE TRANSACTIONS.

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ATTORNEYS' TITLE GUARANTY FUND, INC.

## LEGAL DESCRIPTION

### Legal Description:

Lot 1 in Block 3 in Thomas A. Catino's First Addition to Arlington Heights Unit Number Two (2) being a Subdivision of part of the Southwest 1/4 of Section 31, Township 42 North, Range 11, East of the Third Principal Meridian, according to Plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois, on May 8, 1964, as Document Number 2148885.

### Permanent Index Number:

Property ID: 03-31-306-001-0000

### Property Address:

1117 West Francis Drive  
Arlington Heights, IL 60005

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